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**UNITED STATES DISTRICT COURT**

*District of Arizona*

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*In the Matter of the Search of:*

**SUBJECT PARCEL:** One USPS Priority Mail Express parcel bearing USPS tracking number EI100180044US, addressed to "Erik Fuller, 5150 N 99<sup>th</sup> ave, apt 2043, Glendale, AZ 85305"; with a return address of "Bill Banks, 1452 Duxberry Ave, Columbus, OH 43211"; it is a white Priority Mail Express Flat Rate Envelope; weighing approximately 1 pound, 4 ounces; postmarked December 29, 2021; and bearing 26.35 in postage.

**SEARCH WARRANT**

Case Number: 21-9330 MB

TO: DAWN HAYNES and any Authorized Officer of the United States Affidavit having been made before me by Affiant, Dawn Haynes, a Task Force Officer with the UNITED STATES POSTAL INSPECTION SERVICE, on the premises known as:

**SUBJECT PARCEL:** One USPS Priority Mail Express parcel bearing USPS tracking number EI100180044US, addressed to "Erik Fuller, 5150 N 99<sup>th</sup> ave, apt 2043, Glendale, AZ 85305"; with a return address of "Bill Banks, 1452 Duxberry Ave, Columbus, OH 43211"; it is a white Priority Mail Express Flat Rate Envelope; weighing approximately 1 pound, 4 ounces; postmarked December 29, 2021; and bearing 26.35 in postage.

in the District of Arizona there is now concealed certain property, namely, CONTROLLED SUBSTANCES AND/OR U.S. CURRENCY OR DOCUMENTS RELATING TO THE DISTRIBUTION OF CONTROLLED SUBSTANCES THROUGH THE UNITED STATES MAIL, IN VIOLATION OF TITLE 21, UNITED STATES CODE, SECTIONS 841(a)(1), 843(b) and 846, AS EVIDENCE OF SAID VIOLATIONS.

I am satisfied that the Affidavit establishes probable cause to believe that the property so described is now concealed on the premises, described above, and establishes grounds for the issuance of this warrant.

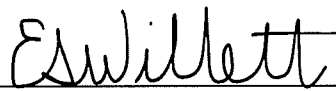
YOU ARE HEREBY COMMANDED to search on or before 1/13/2022 (Date) (not to exceed 14 days) the premises named above for the property specified, serving this warrant and making the search in the daytime (6:00 a.m. to 10:00 p.m.), if the property be found there to seize same, leaving a copy of this warrant and receipt for the property taken, and to prepare a written inventory of the property seized and promptly return this warrant to any United States Magistrate Judge, District of Arizona as required by law.

12/30/2021@3:15pm

Date and Time Issued

at Phoenix, Arizona  
City and State

HONORABLE EILEEN S. WILLETT  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

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*In the Matter of the Search of:*

**SUBJECT PARCEL:** One USPS Priority Mail Express parcel bearing USPS tracking number EI100180044US, addressed to "Erik Fuller, 5150 N 99<sup>th</sup> ave, apt 2043, Glendale, AZ 85305"; with a return address of "Bill Banks, 1452 Duxberry Ave, Columbus, OH 43211"; it is a white Priority Mail Express Flat Rate Envelope; weighing approximately 1 pound, 4 ounces; postmarked December 29, 2021; and bearing 26.35 in postage.

**APPLICATION AND AFFIDAVIT  
FOR SEARCH WARRANT**

Case Number: 21-9330 MB

I, DAWN HAYNES, being duly sworn, depose and state as follows:

I am a TASK FORCE OFFICER WITH THE UNITED STATES POSTAL INSPECTION SERVICE and have reason to believe that on the premises known as:

**SUBJECT PARCEL:** One USPS Priority Mail Express parcel bearing USPS tracking number EI100180044US, addressed to "Erik Fuller, 5150 N 99<sup>th</sup> ave, apt 2043, Glendale, AZ 85305"; with a return address of "Bill Banks, 1452 Duxberry Ave, Columbus, OH 43211"; it is a white Priority Mail Express Flat Rate Envelope; weighing approximately 1 pound, 4 ounces; postmarked December 29, 2021; and bearing 26.35 in postage

in the District of Arizona there is now concealed certain property, namely, CONTROLLED SUBSTANCES AND/OR U.S. CURRENCY OR DOCUMENTS RELATING TO THE DISTRIBUTION OF CONTROLLED SUBSTANCES THROUGH THE UNITED STATES MAIL, which is CONTRABAND, THE FRUITS OF CRIME, OR THINGS OTHERWISE CRIMINALLY POSSESSED,

in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846. The facts to support the issuance of a Search Warrant are as follows:

SEE ATTACHED AFFIDAVIT OF DAWN HAYNES, WHICH IS MADE A PART HEREOF.

Authorized by AUSA D. Matthew Conti

**DAVID CONTI**

Digitally signed by DAVID CONTI  
Date: 2021.12.30 14:52:05  
-07'00'

**TFO Dawn Haynes**

Digitally signed by TFO Dawn Haynes  
Date: 2021.12.30 14:45:58 -07'00'

Signature of Affiant – DAWN HAYNES

Sworn to telephonically and subscribed electronically

12/30/2021 @3:15pm

Date

at Phoenix, Arizona  
City and State

HONORABLE EILEEN S. WILLETT  
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

*E. Willett*

Signature of Judicial Officer

**AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE**

I, Dawn Haynes, being duly sworn, hereby depose and state as follows:

1. I am a Task Force Officer with the United States Postal Inspection Service (hereinafter referred to as USPIS) and have been employed by the Mesa Police Department since March of 2001. I had previously been employed as a police officer in Illinois from January 1993 to March of 2001. I have completed a basic training course at the Mesa Police Academy and Chicago (Illinois) Police Academy, which included training in the investigation of narcotics trafficking. I am currently assigned to the Mesa Police Department Organized Crime/East Valley DEA Task Force/K9 Interdiction unit. As part of my duties, I have been involved in numerous narcotics investigations and have authored and participated in numerous search warrants and drug investigations. I have also received training from USPS, specifically the Phoenix Division Prohibited Mailings Narcotics Team (PMNT) in Arizona, which is responsible for investigating narcotics violations involving the United States Mail. As a member of this Task Force, my responsibilities include the detection and prevention of the transportation of controlled substances through the U.S. Mail. Part of my training as a TFO included narcotics investigative techniques and training in the identification and detection of controlled substances being transported in the U.S. Mail. As a member of this Task Force, your affiant has been sworn in as a USPS Task Force Officer by the authority of the Chief Postal Inspector of the United States Postal Service in February of 2021.

2. I have assisted on narcotics investigations of individuals for violations of Title 21, United States Code, Sections 841(a)(1) (Possession with Intent to Distribute a Controlled Substance), 843(b) (Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance), and 846 (Conspiracy to Possess with Intent to Distribute a Controlled Substance). The facts and information contained in this Affidavit are based on my training and experience, or that of other Postal Inspectors and law enforcement officers involved in this investigation as described below.

3. This Affidavit is made in support of an application for a search warrant for one United States Postal Service (“USPS”) Priority Mail Express parcel (hereafter, referred to as the “**SUBJECT PARCEL**”). **Based on a positive alert by a narcotics-detecting canine and the additional information provided below, I believe the SUBJECT PARCEL contains a controlled substance(s) and/or proceeds from the sale of controlled substances.** However, because the purpose of this affidavit is merely to establish probable cause for the issuance of a search warrant, this Affidavit does not contain all my knowledge regarding the **SUBJECT PARCEL**.

4. The **SUBJECT PARCEL** is further described as follows:

a. **SUBJECT PARCEL:** One USPS Priority Mail Express parcel bearing USPS tracking number EI100180044US, addressed to “Erik Fuller, 5150 N 99<sup>th</sup> ave, apt 2043, Glendale, AZ 85305,” with a return address of “Bill Banks, 1452 Duxberry Ave, Columbus OH 43211.” It is a white Priority Mail Express Flat Rate Envelope; weighing approximately 1 pound, 4 ounces; postmarked December 29, 2021; and bearing 26.35 in postage.

### **BACKGROUND**

5. From my training and experience, as well as the training and experience of other Postal Inspectors on the PMNT, I am aware that the USPS mail system is frequently used to transport controlled substances and/or proceeds from the sale of controlled substances to areas throughout the United States. I also know that drug traffickers prefer mail/delivery services such as Priority Mail Express and Priority Mail because of their reliability and the ability to track the article's progress to the intended delivery point. When a drug trafficker learns that a mailed article has not arrived as scheduled, he/she becomes suspicious of any delayed attempt to deliver the item.

6. Based on my training and experience regarding Priority Mail Express operations, I am aware that the Priority Mail Express service was designed primarily to fit the needs of businesses by providing overnight delivery for time-sensitive materials. Moreover, based on my training and experience, I am aware that business mailings often: (a) contain typewritten labels; (b) are addressed to and/or from a business; (c) are contained within flat cardboard mailers; and (c) weigh less than eight ounces. In addition, corporate charge accounts were developed by the United States Postal Service to avoid time-consuming cash payments by businesses for business mailings.

7. Based on my training and experience, I am aware that the Priority Mail service was created as a less expensive alternative to Priority Mail Express overnight delivery, but designed to provide quicker, more reliable service than standard First-Class Mail. Whereas a customer mailing an article via Priority Mail Express expects next-day service, a customer who mails an article via Priority Mail can expect two-to-three-day

delivery service. The USPS also provides a tracking service though a USPS tracking number, which allows the customer to track the parcel and confirm delivery.

8. Based on my training and experience regarding Priority Mail operations, I am aware that most Priority Mail mailings are business mailings. Businesses have found that Priority Mail is a significantly less expensive method of mailing than Priority Mail Express, particularly when next-day service is not a requirement. I also know that like Priority Mail Express, Priority Mail business mailings tend to be smaller, lighter mailings, and on average, weigh less than two pounds. Examples of the typical types of business mailings conducted via Priority Mail include books, clothing, pharmaceuticals, and consumer goods purchased from online retailers.

9. From my training, personal experience, and the collective experiences related to me by other Postal Inspectors on the PMNT who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, I am aware that the State of Arizona is a source location for controlled substances based on its proximity to the border between the United States and Mexico. As such, controlled substances are frequently transported from Arizona via USPS, and proceeds from the sale of controlled substances are frequently returned to Arizona via USPS.

10. Based on my training and experience regarding the use of Priority Mail Express and Priority Mail to transport-controlled substances and/or the proceeds from the sale of controlled substances, I am aware these parcels usually contain some or all the following characteristics:

- a. The parcel contains a label with handwritten address information and is addressed from one individual to another individual;
- b. The handwritten label on the parcel does not contain a business account number, thereby indicating that the sender likely paid cash;
- c. The parcel is heavier than the typical mailing, often weighing more than eight ounces for Express Mail, and two pounds for Priority Mail; and
- d. The parcel either: (a) was destined for an area known to be a frequent destination point for controlled substances, having been mailed from an area known to be a source area for controlled substances; or (b) originated from an area known to be a frequent origination point for proceeds from the sale of controlled substances, having been mailed to an area known to be a destination area for proceeds from the sale of controlled substances.

11. Priority Mail Express and Priority Mail parcels found to meet any or all the characteristics described above are often further scrutinized by Postal Inspectors through address verifications and an examination by a trained narcotics detecting canine.

**RELEVANT FACTS PERTAINING TO THE SUBJECT PARCELS**

12. On December 30, 2021, your Affiant was alerted to a suspicious parcel at the Phoenix Processing and Distribution Center (PDC) located in Phoenix, Arizona. Postal Inspectors responded to the PDC to retrieve the parcel for further examination.

13. Upon physical examination of the **SUBJECT PARCEL**, the **SUBJECT PARCEL** met some of the characteristics listed above. Specifically, the **SUBJECT**



**PARCEL** was addressed from one individual to another individual, weighed approximately 1 pound and 4 ounces (which is heavier than the typical Priority Mail Express parcel), bore handwritten address label information, and it did not have any business account information. Additionally, the **SUBJECT PARCEL** was mailed from an address in Ohio, to an address in the State of Arizona. Based on my training, experience, and the collective experiences related to me by other Postal Inspectors on the PMNT who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, I am aware that the State of Arizona is frequently a source location for controlled substances that are mailed to the State of Ohio, and that proceeds from the sale of controlled substances are frequently returned to Arizona from Ohio via USPS.

14. A database query was conducted regarding the names and addresses for the **SUBJECT PARCEL** in Consolidated Lead Evaluation and Reporting (CLEAR), a law enforcement database accessible to your Affiant. CLEAR associates addresses and telephone numbers to individuals and business entities. The TLO database is created from credit reports, law enforcement reports, utility records, and other public records.

15. Through the CLEAR database query, investigators learned that the delivery address for the **SUBJECT PARCEL** was an existing, deliverable address, but “Erik Fuller” was last associated with the address of 5150 N 99<sup>th</sup> Ave, Apt 2043, Glendale, AZ 85305 in February 2021. The same database query revealed that the return address for the **SUBJECT PARCEL**, 1452 Duxberry Ave, Columbus OH 43211, was not an existing, deliverable address.



16. From my training, personal experience, and the collective experiences related to me by other Postal Inspectors who specialize in investigations relating to the mailing of controlled substances, I know it is common for drug traffickers to use partial, unassociated, or fictitious names and addresses to evade detection by law enforcement.

**CANINE EXAMINATION OF THE SUBJECT PARCELS**

17. On December 30, 2021, I am a Canine Handler so I used narcotics detecting canine “Nicole” to inspect the **SUBJECT PARCEL**. The **SUBJECT PARCEL** was separated and individually inspected by canine “Nicole”. “Nicole” gave a positive alert to the **SUBJECT PARCEL** by lying down next to the individual parcel at approximately 12:16 PM.

18. When canine “Nicole” laid down next to the **SUBJECT PARCEL** as she did, “Nicole” has a total cease and desist of all forward progress with the expectation of a reward. This “passive” alert given by “Nicole” indicates the presence, within the **SUBJECT PARCEL**, of narcotics or a controlled substance, or currency, notes, documents, or evidence bearing the presence of the odors of heroin, cocaine, marijuana, and/or methamphetamine.

19. Your Affiant is currently assigned to the handling and care of Mesa Police Department canine “Nicole.” “Nicole” is a four-year-old Belgian Malinois, who has been working drugs/narcotics detection for the Mesa Police Department since February 2020. “Nicole” and your Affiant currently hold a National Certification in drugs/narcotics detection by the National Police Canine Association (NPCA and were last certified on March 3, 2021. Your Affiant’s certifications also include the completion of a canine

certification course put on Alpha canine training facility. “Nicole” is trained to detect the odors of cocaine, marijuana, heroin, methamphetamine, and their derivatives. Since “Nicole” began working at the Mesa Police Department, “Nicole” has had over 100 successful finds (both training finds and finds that have contributed to active investigations) of controlled substances and/or the proceeds from the sales of controlled substances.

**CONCLUSION**

20. Based on these facts, there is probable cause to believe that the **SUBJECT PARCEL** described in Paragraph 4 above contains controlled substances or proceeds from the sale of controlled substances, constituting evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Possession with Intent to Distribute a Controlled Substance), 843(b) (Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance) and 846 (Conspiracy to Distribute a Controlled Substance).

TFO Dawn  
Haynes

Digitally signed by TFO Dawn  
Haynes  
Date: 2021.12.30 14:46:14 -07'00'

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DAWN HAYNES  
United States Postal Inspection Service

Subscribed, electronically, and sworn to telephonically on this 30 day of December, 2021.

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HONORABLE EILEEN S. WILLETT  
United States Magistrate Judge